

**STANDARD CONDITIONS FOR NON-MUNICIPAL NPDES PERMITS**  
**ISSUED BY**  
**THE MISSOURI DEPARTMENT OF NATURAL RESOURCES**  
**MISSOURI CLEAN WATER COMMISSION**  
**November 1, 1974**

**SECTION A — MONITORING AND REPORTING**

**1. Representative Sampling**

- A. Samples and measurements taken as required herein shall be representative of the nature and volume, respectively, of the monitored discharge. All samples will be taken at the outfall(s), and unless specified, before the effluent joins or is diluted by any other body of water or substance.
- B. Monitoring results shall be recorded for each month and reported on forms provided by the Department, post-marked no later than the 28th day of the month following the completed reporting period. Signed copies of these, and all other reports required herein, shall be submitted to the following address:
- Department of Natural Resources  
Division of Environmental Quality  
Missouri Clean Water Commission  
P. O. Box 1368  
Jefferson City, Missouri 65101  
314-751-3241

**2. Schedule of Compliance**

No later than 14 calendar days following each date identified in the "Schedule of Compliance," the permittee shall submit to the Department as required therein, either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement, or, if there are no more scheduled requirements, when such noncompliance will be corrected.

**3. Definitions**

Definitions as set forth in the Law, and Clean Water Commission Definition Regulations (CWC-R4), shall apply to terms used herein.

**4. Test Procedures**

Test procedures for the analysis of pollutants shall satisfy regulations published pursuant to Section 304(g) of the Act, or in accordance with methods specified under Section A herein, "Monitoring and Reporting."

**5. Recording of Results**

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. exact place, date, time, and manner of taking;  
B. dates the analyses of the samples were performed;  
C. person(s) who performed the sample analyses or measurements;  
D. analytical techniques or methods used for samples or measurements; and  
E. results of all such sample analyses or measurements.

**6. Additional Monitoring by Permittee**

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Monitoring Report Form. Such increased frequency shall also be indicated.

**7. Records Retention**

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation, shall be retained for a minimum of three (3) years, or longer if requested by the Department.

terms and conditions of this permit. The discharge of any pollutant not authorized by this permit or of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Department of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

**2. Noncompliance Notification**

- If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Department with the following information, in writing within five (5) days of becoming aware of such condition:
- A. a description of the discharge and cause of noncompliance; and  
B. the period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

**3. Facilities Operation**

The permittee shall at all times maintain in good working order and efficiently and effectively operate all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

**4. Adverse Impact**

The permittee shall take all necessary steps to minimize any adverse impact to navigable waters resulting from noncompliance with any effluent limitations specified in this permit or set forth in the Law, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

**5. Bypassing**

Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (1) where unavoidable to prevent loss of human life or substantial amounts of severe property damage, or (2) where unavoidable excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Department in writing of each such diversion or bypass. Nothing herein shall excuse any person from any liability unless such relief from liability is otherwise provided by statute.

**6. Removed Substances**

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutants from entering waters of the State unless permitted by the Law.

**7. Power Failures**

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- A. in accordance with the "Schedule of Compliance," provide an alternative power source sufficient to operate the wastewater control facilities; or,  
B. if such alternative power source is not in existence, and no date for its implementation appears in the Compliance Schedule, halt or otherwise control production and all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

**8. Right of Entry**

The permittee shall allow any authorized representatives of the Department, upon the presentation of proper credentials:

**SECTION B — MANAGEMENT REQUIREMENTS**

**1. Change in Discharge**

All discharges authorized herein shall be consistent with the

- A. to enter upon the permittee's premises where a potential or existing water contaminant source or discharge is located or in which any records are required to be kept under the terms and conditions of this permit or the Law and Regulations; and
  - B. at reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit or the Law and Regulations; to inspect any monitoring equipment or monitoring method required in this permit or the Law and Regulations; and to sample any source of or discharge of water contaminants or in order to prevent pollution, any potential source of a discharge of water contaminants.
- 9. Transfer of Ownership or Control**  
In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner, controlling person, or operator, of the existence of this permit by letter, a copy of which shall be forwarded to the Department.
- 10. Availability of Reports**  
Except for data determined to be confidential under Section 308 of the Act, and the Law and Regulation No. CWC-R8, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. As required by statute, effluent data shall not be considered confidential. Knowingly making any false statement on any such report shall be subject to the imposition of criminal penalties as provided for in Section 309 of the Act and Section 204.076 of the Law.
- 11. Permit Modification**  
After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:  
A. violation of any terms or conditions of this permit or the Law;  
B. having obtained this permit by misrepresentation or failure to disclose fully all relevant facts;  
C. a change in any circumstances or conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge; or  
D. any reason set forth in the Law or Regulations.
- 12. Toxic Pollutants**  
Notwithstanding Standard Conditions B-11 above, if a toxic

effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act or the Law or Regulations for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall automatically be modified to assure compliance with the toxic effluent standard or prohibition and the permittee shall be so notified.

**13. Civil and Criminal Liability**

Except as authorized by statute and provided in permit conditions on "Bypassing" (Standard Conditions B-5), and "Power Failures" (Standard Conditions B-7), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

**14. Oil and Hazardous Substance Liability**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act. Oil and hazardous materials discharges must be reported in compliance with Missouri Clean Water Commission Regulation No. CWC-R7.

**15. State Laws**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State statute or regulations.

**16. Property Rights**

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of or violation of Federal, State or local laws or regulations.

**17. Severability**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.